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LEGISLATIVE HISTORY

Public Law 87-62

S. 2113

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INDEX AND SUMMARY OF S. 2113

- June 20, 1961 Senate committee (Agriculture and Forestry) reported S. 2113 without amendment. S. Report No. 436. Print of bill and report.
- June 21, 1961 Senate passed S. 2113 without amendment.
- June 22, 1961 S. 2113 was referred to the House Agriculture Committee. Print of bill as referred.
- June 26, 1961 House committee reported S. 2113 without amendment. H. Report No. 578. Print of bill and report.
- House passed S. 2113 without amendment.
- June 29, 1961 Approved: Public Law 87-62.

DIGEST OF PUBLIC LAW 87-62

HARVESTING HAY ON SOIL BANK LANDS. Amends the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage where necessary to alleviate hardship caused by drought or other natural disaster.

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

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For actions of June 20, 1961
87th-1st, No. 103

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HIGHLIGHTS: Senate passed agricultural appropriation bill. Senate committee reported bills to: Increase and expand special milk program; permit harvesting of hay on conservation reserve acreage. House Rules Committee cleared housing bill. Rep. Berry criticized farm bill. Senate committee voted to report 30-year retirement bill.

SENATE

- 1. AGRICULTURAL APPROPRIATION BILL, 1962.** Passed with amendments this bill, H. R. 7444 (pp. 9990-2, 10028-40). Conferees were appointed (p. 10040).
Agreed to the committee amendments en bloc, and the bill as amended was considered as original text for purposes of amendment. pp. 9990-1
Agreed to an amendment by Sen. Russell to increase the item for marketing research, AMS, by \$75,000 for market facilities planning at Boston, Mass.
p. 10038
By a vote of 26 to 64, rejected an amendment by Sen. Douglas, for himself and Sen. Williams, Del., to reduce the advance authorization for the 1962 Agricultural Conservation Program from \$250 million to \$150 million. pp. 10029-38
- 2. SPECIAL MILK PROGRAM.** The Agriculture and Forestry Committee reported without amendment S. 146, to provide for use of not to exceed \$105,000,000 of CCC funds for the special milk program in the fiscal year 1962 (S. Rept. 437). p. 9966

Sen. Humphrey commended the special milk program and inserted statistics received from this Department on the program relating to the number of outlets participating in July and Aug. 1960 and the amount of milk consumed during these months. He also urged the Secretary "to use the farmer cooperatives and their facilities to the maximum extent practicable consistent with the accomplishment of the objectives of the programs and policies that are outlined in the so-called agricultural programs." pp. 10051-2

3. SOIL BANK; HAY. The Agriculture and Forestry Committee reported without amendment S. 2113, to amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions (S. Rept. 436). p. 9966
4. SURPLUS GRAIN; WILDLIFE. The Agriculture and Forestry Committee reported with amendment S. 614, to authorize the use of surplus grain by the States for emergency use in the feeding of resident game birds and other wildlife (S. Rept. 435). p. 9966
5. PUBLIC LANDS. The Interior and Insular Affairs Committee reported without amendment H. R. 6422, to authorize an exchange of public lands (including Forest Service land) at the Cedar Breaks National Monument, Utah (S. Rept. 434). p. 9966
6. FOURTH SUPPLEMENTAL APPROPRIATION BILL, 1961 The Appropriations Committee reported without amendment this bill, H. R. 7712 (S. Rept. 427). p. 9966
7. PERSONNEL. The Post Office and Civil Service Committee voted to report (but did not actually report) with amendment S. 183, to permit Federal employees to retire on full annuity after 30 years service. The "Daily Digest" states that the bill was amended "to establish minimum age at 55." p. D481
The Post Office and Civil Service Committee voted to report (but did not actually report) with amendment S. 1458, to authorize the Federal Government to pay the costs of the transportation of the remains, families, and effects of Federal employees who die in service in Alaska or Hawaii. p. D481
8. FARM PROGRAM. Sen. Humphrey submitted an amendment intended to be proposed to S. 1643, the farm bill. pp. 9971-2
Sen. Pell inserted a magazine article, "Camouflage of Confusion," discussing various aspects of the farm program, particularly the size of CCC loans to wheat farmers. pp. 9988-90
9. FOREIGN AID. Sen. Javits inserted an article, "Red Bloc Spurs Aid to Neutrals -- Granted Billion in Economic Field Alone Last Year -- Trade Drive Pressed." pp. 9978-9
Sen. Muskie inserted an address by Secretary of State Rusk before the Eighth National Conference on International Economic and Social Development discussing the importance of continuing the foreign aid program. pp. 9981-3
10. FOREIGN TRADE. Sen. Ellender, and others, protested the shipment of Cuban molasses to the U. S. and urged that it be stopped. pp. 10015-6
11. YOUTH CONSERVATION. Sen. Humphrey inserted a statement by the Secretary of the Interior favoring the establishment of a Youth Conservation Corps, and a description of needed work on conservation projects and estimates of numbers of enrollees. pp. 10018-21

HAY HARVESTING ON CONSERVATION RESERVE LANDS IN DISASTER AREAS

JUNE 20, 1961.—Ordered to be printed

Mr. YOUNG of North Dakota, from the Committee on Agriculture and Forestry, submitted the following

REPORT

[To accompany S. 2113]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 2113), to amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions, having considered the same, report thereon with a recommendation that it do pass without amendment.

This bill, for the period of 1 year after its enactment, would authorize the Secretary of Agriculture to permit hay to be harvested from conservation reserve acreage where necessary to alleviate hardship caused by drought or other natural disaster. Permission could be granted only after certification by the Governor of the State of the need therefor and upon the independent determination by the Secretary of such need.

Grazing of conservation reserve lands is now permitted under sections 103(a)(3) and 107(a)(4) of the Soil Bank Act under conditions such as those under which hay harvesting would be permitted by the bill. The Department of Agriculture advised the committee that under either the existing grazing provision or the proposed hay harvesting provision, the Department would ordinarily require the value of the grazing or hay to be deducted from the payment for the year, as a condition of granting permission for such grazing or haying. However, the Department has granted grazing privileges in flood areas for very short periods of time where such deductions were not warranted or made. The Department also pointed out the advisability of leaving the Secretary free to impose such conditions as might be most suitable to the particular emergency and provide for the most effective administration.

The committee had before it two bills covering the subject, S. 36, introduced by Senator Young of North Dakota, and S. 2056, introduced by Senator Burdick. The Department of Agriculture's favorable report on S. 2056 is attached.

DEPARTMENTAL VIEWS

DEPARTMENT OF AGRICULTURE,
Washington, D.C. June 19, 1961.

HON. ALLEN J. ELLENDER,
*Chairman, Committee on Agriculture and Forestry,
U.S. Senate.*

DEAR SENATOR ELLENDER: Bill S. 2056 on which you requested a report June 13 would amend section 107(a)(3) of the Soil Bank Act so that if a Governor of a State certifies, and the Secretary determines it is necessary to permit the sale of hay harvested from conservation reserve acreage in order to alleviate damage, hardship, or suffering caused by severe drought, flood, or other natural disaster, the Secretary may authorize the local county committees to sell hay on such acreage, with the consent of the producer, to the highest bidder and return the proceeds thereof to the U.S. Treasury, less such amounts as the committees deem adequate to compensate the producer for damage if any to his premises.

We approve in principle the purpose expressed in this bill; however, we would prefer that it be modified to provide that the producer would have the entire responsibility for the disposition of the hay. We recommend that the local county committee determine the fair current local market value of the hay on an unharvested basis and that the annual conservation payment which would otherwise be due the producer for that year be reduced by this value. Should the fair current local market value of the hay thus harvested exceed the conservation reserve contract rental otherwise due the producer for that year we would not recommend recovering the excess amount from the producer. These suggested modifications should not remove the Secretary's discretionary authority as to where and when the provisions would be placed in operation.

Both bill S. 2056 and the suggested modifications thereof, by requiring a loss of contract rental where hay is harvested, contemplate a return to the Government for its investment in prior establishment and maintenance of the conservation cover. It is believed the suggested modifications might (1) obtain more participation by absentee landlords, (2) avoid controversies over damages, and (3) be generally more satisfactory to administer.

Additional costs under either approach will depend on the extent of natural disasters calling for the harvesting of hay. Administration of this proposed legislation would cost slightly more than would current legislation but the additional amount probably would not exceed \$10 per farm taking advantage of the recommended provisions. Costs of administering the bill as introduced would be slightly larger per farm because of the competitive bidding and damage assessment features.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

[S] CHARLES S. MURPHY,
Under Secretary.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SOIL BANK ACT

SEC. 107. (a) To effectuate the purposes of this title the Secretary is hereby authorized to enter into contracts for periods of not less than 3 years with producers determined by him to have control for the contract period of the farms covered by the contract wherein the producer shall agree:

(1) To establish and maintain for the contract period protective vegetative cover (including but not limited to grass and trees), water storage facilities, or other soil-, water-, wildlife-, or forest-conserving uses on a specifically designated acreage of land on the farm regularly used in the production of crops (including crops, such as tame hay, alfalfa, and clovers, which do not require annual tillage).

(2) To devote to conserving crops or uses, or allow to remain idle, throughout the contract period an acreage of the remaining land on the farm which is not less than the acreage normally devoted only to conserving crops or uses or normally allowed to remain idle on such remaining acreage.

(3) Not to harvest any crop from the acreage established in protective vegetative cover, excepting timber (in accordance with sound forestry management) and wildlife or other natural products of such acreage which do not increase supplies of feed for domestic animals, *and except that the Secretary may, with the approval of the contract signers, permit hay to be removed from such acreage if the Secretary, after certification by the Governor of the State in which such acreage is situated of the need for removal of hay from such acreage, determines that it is necessary to permit removal of hay from such acreage in order to alleviate damage, hardship, or suffering caused by severe drought, flood, or other natural disaster.*¹

(4) Not to graze any acreage established in protective vegetative cover prior to January 1, 1959, or such later date as may be provided in the contract, except pursuant to the provisions of section 103(a) (3) hereof; and if such acreage is grazed at the end of such period, to graze such acreage during the remainder of the period covered by the contract in accordance with sound pasture management.

¹ The amendment would be effective for 1 year after its enactment.

Calendar No. 409

87TH CONGRESS
1ST SESSION

S. 2113

[Report No. 436]

IN THE SENATE OF THE UNITED STATES

JUNE 20, 1961

Mr. YOUNG of North Dakota (for himself and Mr. BURDICK) introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

JUNE 20, 1961

Reported by Mr. YOUNG of North Dakota, without amendment

A BILL

To amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) section 107 (a) (3) of the Soil Bank Act is
4 amended by changing the period at the end thereof to a
5 comma and adding the following: "and except that the
6 Secretary may, with the approval of the contract signers,
7 permit hay to be removed from such acreage if the Secretary,
8 after certification by the Governor of the State in which
9 such acreage is situated of the need for removal of hay from
10 such acreage, determines that it is necessary to permit re-

1 moval of hay from such acreage in order to alleviate damage,
 2 hardship, or suffering caused by severe drought, flood, or
 3 other natural disaster.”

4 (b) The amendment made by this section shall expire
 5 one year from the date of enactment of this Act.

A BILL

To amend the Soil Bank Act so as to authorize
 the Secretary of Agriculture to permit the
 harvesting of hay on conservation reserve
 acreage under certain conditions.

By Mr. YOUNG of North Dakota and Mr.
 BURDICK

JUNE 20, 1961

Read twice and referred to the Committee on
 Agriculture and Forestry

JUNE 20, 1961

Reported without amendment

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE

(For Department
Staff Only)

Issued June 22, 1961
For actions of June 21, 1961
87th-1st, No. 104

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HIGHLIGHTS: Senate passed bills to: Extend and increase special milk program; permit harvesting of hay on conservation reserve acreage. House debated housing bill. Rep. Fountain and others introduced and Rep. Fountain discussed bills to provide periodic Congressional review of Federal grants-in-aid programs.

SENATE

1. SPECIAL MILK PROGRAM. Passed without amendment S. 146, to authorize the expenditure of not to exceed \$105 million of CCC funds for the special milk program in the fiscal year 1962. p. 10220
2. HAY; SOIL BANK. Passed without amendment S. 2113, to amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions in drought or other disaster areas. pp. 10210-11
3. YOUTH CONSERVATION CORPS. Sen. Humphrey inserted and commended the statement of Secretary Freeman before the S. Labor and Public Welfare Committee in support of legislation to provide for the establishment of a Youth Conservation Corps. Sen. Clark urged support for enactment of this proposed legislation. pp. 10201-4

4. RECLAMATION. Sen. Burdick inserted and commended a press release announcing the President's support for the Garrison diversion irrigation development in the Upper Missouri River Basin which will bring new land into agricultural production. p. 10233
 5. DEPRESSED AREAS. Sen. Humphrey inserted the report of the Research and Policy Committee of the Committee for Economic Development, "Distressed Areas in a Growing Economy," which he stated was "an excellent and comprehensive report, analyzing problems of distressed areas and recommending various solutions to these problems." pp. 10197-9
Sen. Miller inserted an editorial, "United States Should Study Iowa Adjustment Plan," which stated that Iowa has solved the problem of unemployment "by educating and exporting her children." pp. 10234-5
 6. RESEARCH. Sen. Hruska commended the work of the Fort Robinson Beef Cattle Research Station in Nebr., and inserted a statement by James E. Ingalls, Superintendent of the Station, discussing the importance of its research. pp. 10207-8
 7. SUGAR. Received a Fla. Legislature resolution favoring additional sugar quotas for domestic growers. p. 10169
 8. ATOMIC ENERGY. The Joint Committee on Atomic Energy reported without amendment S. 2043, to authorize appropriations for the Atomic Energy Commission (S. Rept. 441). p. 10171
 9. FEDERAL EXPENDITURES. Sen. Bush expressed concern over Federal expenditures and inserted an editorial, "On Spending Too Much." pp. 10176-7
 10. INTERNATIONAL TRAVEL. Agreed to the conference report on S. 610, to provide for the establishment of a U. S. Travel Service in the Department of Commerce. This bill will now be sent to the President. The bill authorizes the Secretary of Commerce to utilize the facilities and services of existing agencies of the Federal Government to the fullest extent possible including the maximum utilization of counterpart funds. pp. 10195-7
 11. MARKETING; MONOPOLIES. Sen. Humphrey inserted an address by U. S. Assistant Attorney General Lee Loevinger, "What Government Expects of Business in Marketing." pp. 10199-201
 12. TAXATION. Began debate on H. R. 7446, to provide a 1-year extension of the existing corporate normal tax rate and of certain excise tax rates. pp. 10221-3
 13. FOREIGN AID. Sen. Schoeppel discussed the foreign aid program and urged "a thorough reexamination of the program in order to remove from the back of the American taxpayer this staggering burden which threatens our economy," and inserted several items on the matter. pp. 10224-33
 14. LEGISLATIVE PROGRAM. Sen. Mansfield announced that after the tax-extension bill the Senate would consider noncontroversial bills on the calendar and the water pollution control bill. p. 10224
- HOUSE
15. MIGRANT LABOR. The Select Subcommittee on Labor of the Education and Labor Committee voted to report to the full committee with amendments H. R. 5289, to provide for the registration of contractors of migrant agricultural workers. p. D489

In Wisconsin, Gov. Gaylord Nelson has been barnstorming the State to rouse support for an imaginative \$50 million program. Its fate in the legislature is still in the balance, but the popular support is impressive.

Many an embryo program is in the balance, too. Citizens have been using the upcoming Federal program as a lever for getting their communities to tackle planning now.

VALUE OF FEDERAL PLAN

It's not the money so much—the local governments would have to raise the bulk themselves and \$100 million, spread over the United States, would mean that the initial grants would be fairly modest. But the multiplying effect would be tremendous. The great virtue of the proposal is that it uses open space as a tool for shaping future growth.

No plan, no money.

This is why the relatively modest open-space provision can be so important to the whole housing program. If we are to have billions for new subdivisions, surely we should spend a little to see that they are worth living in—and living with.

We know what will happen if the mixture continues as before: an aimless, ugly sprawl, only bigger and faster, and more hopeless. We can clean up the mess later with a vast suburban renewal program; a modest open-space program now seems a better investment.

It would be tragic if this farsighted proposal were scuttled by inadvertence. If Congress fails to pass it, it will be because citizens and officials in our urban areas have not made their case known to Congress. Senator WILLIAMS has done a magnificent job; if the rest of us pitch in—and with some good old-fashioned citizen pressure—the fight can be won.

WILLIAM H. WHYTE.

NEW YORK, June 12, 1961.

Mr. CLARK. Mr. President, these two documents support strongly the position of the distinguished junior Senator from New Jersey [Mr. WILLIAMS], who was the author and principal proponent of the open space section of the omnibus housing bill, which, much to my regret, was not approved by the Senate, but which I hope will be approved by the House and accepted in conference. I thank my friend for yielding.

THE GERMAN AND BERLIN PROBLEMS

Mr. DIRKSEN. Mr. President, reserving my right to the floor, I yield to the distinguished Senator from Kentucky 6 minutes.

Mr. COOPER. Mr. President, since 1946, the United States and its allies have faced the possibility of a Berlin crisis, for it became evident then that the Soviet Union would not carry out its wartime agreements for the unification of Germany by free elections.

The status of Germany and of Berlin has been discussed with the Soviet Union many times—by the United States and its wartime allies France and the United Kingdom, by the United States through diplomatic channels, by President Eisenhower and President Kennedy, and in the General Assembly of the United Nations, but to no avail.

In 1951 at Paris I had the opportunity to represent the United States on the question of Germany, and I remember

then the experience of learning of the uncompromising attitude of the leaders of East Germany as well as the Soviet Union. It was only after the blockade of Berlin and our airlift that the Soviet Union took some steps to confirm the Allied rights of access to Berlin.

Now, the positions of the Soviet Union and the United States have again been stated. Since 1958, Mr. Khrushchev has been threatening to conclude a separate peace treaty with East Germany if the United States, Great Britain and France will not join in a peace treaty with the two Germanys. Only last week, Mr. Khrushchev reasserted his position. For the United States, President Kennedy has said that a "binding peace treaty is a matter for all who were at war with Germany, and we and our allies cannot abandon our obligation to the people of West Berlin."

It is inevitable and correct, that this issue must be debated in the Congress. The distinguished Senators from Montana [Mr. MANSFIELD] and from New Hampshire Mr. [BRIDGES] have presented views, alike in their patriotic purpose, but nevertheless apart concerning the policy our Government should undertake.

As the debate proceeds, it is possible that we will have a polarization of views in the Congress along the lines advocated by Senators MANSFIELD and BRIDGES—one to hold without deviation to the position the United States has asserted in the past, and the other to find an alternative.

I think it is possible, although I hope it will not be true, that this debate might divide along party lines.

But it is not my purpose today to discuss the speeches of the two Senators, or to discuss the substance of the German and Berlin issues. My purpose is to suggest means to best meet the crisis which looms before us. We must recognize that the German and Berlin issues are critical, dangerous, and the most important ones that confront our Nation. They hold within them the possibility of war, and as Mr. Khrushchev said, "a thermonuclear war at that."

If a showdown comes, the President will need the full support of a unified Congress and a unified country. I believe that if he is to have such support, the Congress and the country must believe that the best consideration has been given by the administration to every aspect of this issue. We have confidence in the President and in the Secretary of State, the Honorable Dean Rusk. We know that such men as Charles Bohlen, Llewellyn Thompson, and George Kennan have great knowledge of the Soviet Union and its policies. Undoubtedly there are other able men in the Department of State who have dealt with the problem of Germany and Berlin for many years.

Nonetheless, to secure the support that the President will need in the Congress and the country, I believe that he and the Secretary of State should be assisted in the review and the consideration of the issues of Germany and Berlin by men who have had specific, and practical, knowledge of the issues—men who have

dealt with them face to face, who have political understanding—I think that point important—and who are broadly representative of our country. Without excluding others, I think of such men as Gen. Lucius Clay, John McCoy, and former Under Secretary of State Robert Murphy, who were in Germany and who dealt at firsthand with our allies, with the Soviet Union and with West Germany on these very issues.

I think of others, such as former Secretary of State Acheson, Dr. Conant, the Honorable David Bruce, and the Honorable Christian Herter, all of whom have vast experience in this matter. And if it is believed that the views of these men have been expressed for the status quo, there are undoubtedly other able men who could be joined with them. I suggest that such a group be formed as a consultative committee to work under the Secretary of State for the full review and consideration of every aspect of the German and Berlin issues.

I think that we owe that consideration to this country, as well as to Berlin and Germany and to the security of the world.

Certainly Presidents Eisenhower and Truman might be consulted upon occasion.

In summary, my suggestion has the following purposes:

First, to provide for the President and the Secretary of State the best knowledge and experience available upon the issues of Germany and Berlin and, in addition, to provide advice from men who have practical experience in facing these issues, and who have political judgment.

Second, to give confidence to the Nation and the Congress that these issues are receiving the fullest and best consideration. I have no doubt that they are receiving thorough consideration day by day, but I believe it would give more confidence to Congress and the Nation if we knew that such a committee of able men—men who have had practical experience in dealing with this issue since World War II—were being consulted and were giving the benefit of their advice and their experience.

Third, to provide for the President the broadest base of support for the decisions he will be required to make regarding Berlin and Germany.

Mr. DIRKSEN. Mr. President, I yield 1 more minute to the Senator from Kentucky.

Mr. COOPER. I know there will be debate on this subject in Congress, and I am sure consideration is being given daily to this problem in the Department of State and at the White House. I would not like to see the situation occur, some time before the first of the year—and it may not wait until the first of the year, because it could happen at at any time between now and the first of the year—when the Congress would be faced with an accomplished fact, if Mr. Khrushchev should decide to act. Then we would have to begin to consider what we should do, or at least what Congress thinks it should do.

I believe that consultation such as I have suggested—with men who are

known throughout the country, men belonging to both parties, men of great experience in facing this problem and in dealing with both the Russians and the Germans and with our allies—would be reassuring to all of us. It certainly would be reassuring to know that not only were they being consulted, but also that they were working steadily on this problem.

HARVESTING OF HAY ON CONSERVATION RESERVE ACREAGE

Mr. DIRKSEN. Mr. President, the distinguished Senators from North Dakota have an emergency measure which they would like to bring up at this time. It has been reported by the Committee on Agriculture and Forestry without objection. Mr. President, I would have no objection to having the matter presented now.

Mr. CLARK. Mr. President, I ask unanimous consent that the pending business be temporarily laid aside and that the Senate proceed to the consideration of the measure referred to by the Senator from Illinois, Senate bill 2113.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. DIRKSEN. Mr. President, accordingly, in behalf of the Senators from North Dakota [Mr. Young and Mr. Burdick], I ask unanimous consent that the Senate proceed to the consideration of S. 2113, Calendar No. 409.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 2113) to amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. YOUNG of North Dakota. Mr. President, the bill would amend the Soil Bank Act by permitting farmers to make hay on soil bank land under the same conditions which is now possible for pasturing of soil bank land. Under emergency conditions, if the Governor of a State declares a disaster area, and it is approved by the Secretary of Agriculture, under present law farmers can have their stock graze on soil bank land. In North Dakota and Montana, and in much of the area in that part of the country, we are faced with a serious drought situation. It will mean the liquidation of many cattle unless additional forage can be found. On the soil bank land oftentimes, because nothing has been harvested for several years, and the snow has gathered on it in the winter-time, there is a pretty fair growth of hay. It would be a pity to let the hay go unused when the farmers all around very badly need hay. Unless this can be made available, hay would have to be shipped in from outside areas; and, as is so often the case, the Government would bear much of the cost.

This does not make sense. It does not make sense to let that hay go to waste, and to permit cattle and other livestock to be liquidated, and to ship in hay from a long distance away. This is a real emergency situation in North Dakota. If the bill is passed, immediate help can be afforded. I ask unanimous consent to have an excerpt from the committee report printed in the RECORD at this point in my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 2113), to amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions, having considered the same, report thereon with a recommendation that it do pass without amendment.

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DEPARTMENT OF AGRICULTURE,
Washington, D.C., June 19, 1961.

HON. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry, U.S. Senate.

DEAR SENATOR ELLENDER: Bill S. 2056 on which you requested a report June 13 would amend section 107(a)(3) of the Soil Bank Act so that if a Governor of a State certifies, and the Secretary determines it is necessary to permit the sale of hay harvested from conservation reserve acreage in order to alleviate damage, hardship, or suffering caused by severe drought, flood, or other natural disaster, the Secretary may authorize the local county committees to sell hay on such acreage, with the consent of the producer, to the highest bidder and return the proceeds thereof to the U.S. Treasury, less such amounts as the committees deem adequate to compensate the producer for damage if any to his premises.

We approve in principle the purpose expressed in this bill; however, we would prefer that it be modified to provide that the producer would have the entire responsibility

for the disposition of the hay. We recommend that the local county committee determine the fair current local market value of the hay on an unharvested basis and that the annual conservation payment which would otherwise be due the producer for that year be reduced by this value. Should the fair current local market value of the hay thus harvested exceed the conservation reserve contract rental otherwise due the producer for that year we would not recommend recovering the excess amount from the producer. These suggested modifications should not remove the Secretary's discretionary authority as to where and when the provisions would be placed in operation.

Both bill S. 2056 and the suggested modifications thereof, by requiring a loss of contract rental where hay is harvested, contemplate a return to the Government for its investment in prior establishment and maintenance of the conservation cover. It is believed the suggested modifications might (1) obtain more participation by absentee landlords, (2) avoid controversies over damages, and (3) be generally more satisfactory to administer.

Additional costs under either approach will depend on the extent of natural disasters calling for the harvesting of hay. Administration of this proposed legislation would cost slightly more than would current legislation, but the additional amount probably would not exceed \$10 per farm, taking advantage of the recommended provisions. Costs of administering the bill as introduced would be slightly larger per farm because of the competitive bidding and damage assessment features.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

CHARLES S. MURPHY,
Under Secretary.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SOIL BANK ACT

"SEC. 107. (a) To effectuate the purposes of this title the Secretary is hereby authorized to enter into contracts for periods of not less than 3 years with producers determined by him to have control for the contract period of the farms covered by the contract wherein the producer shall agree:

"(1) To establish and maintain for the contract period protective vegetative cover (including but not limited to grass and trees), water storage facilities, or other soil-, water-, wildlife-, or forest-conserving uses on a specifically designated acreage of land on the farm regularly used in the production of crops (including crops, such as tame hay, alfalfa, and clovers, which do not require annual tillage).

"(2) To devote to conserving crops or uses, or allow to remain idle, throughout the contract period an acreage of the remaining land on the farm which is not less than the acreage normally devoted only to conserving crops or uses or normally allowed to remain idle on such remaining acreage.

"(3) Not to harvest any crop from the acreage established in protective vegetative cover, excepting timber (in accordance with sound forestry management) and wildlife or other natural products of such acreage which do not increase supplies of feed for domestic animals, and except that the Secretary may, with the approval of the contract signers, permit hay to be removed from such acreage if the Secretary, after certifica-

tion by the Governor of the State in which such acreage is situated of the need for removal of hay from such acreage, determines that it is necessary to permit removal of hay from such acreage in order to alleviate damage, hardship, or suffering caused by severe drought, flood, or other natural disaster.¹

"(4) Not to graze any acreage established in protective vegetative cover prior to January 1, 1959, or such later date as may be provided in the contract, except pursuant to the provisions of section 103(a)(3) hereof; and if such acreage is grazed at the end of such period, to graze such acreage during the remainder of the period covered by the contract in accordance with sound pasture management."

Mr. MANSFIELD. Mr. President, I wish to join with the distinguished senior Senator from North Dakota [Mr. YOUNG] and the junior Senator from North Dakota [Mr. BURDICK], and with the junior Senator from Montana [Mr. METCALF] in urging the passage of this vitally needed measure at this time. Because of the condition which exists in eastern Montana and in the western Dakotas, it is our hope that the bill will receive the unanimous approval of the Senate.

Mr. YOUNG of North Dakota. I might add that the bill gives discretionary authority to the Secretary of Agriculture to permit the making of hay on this land. He can make a charge for it and deduct the amount from the payments to the farmers, and he can prescribe regulations under which the hay can be made.

Mr. MUNDT. Mr. President, I would like to add that the proposed legislation is in strict harmony with legislation which Congress passed a year or two ago dealing with similar drought situations, and which provided for the utilization of feed grains at that time, at support levels.

The pending bill simply would relieve a situation of feed shortages in restricted areas, by adding hay to the feed grain situation, which was covered by previous legislation.

Mr. YOUNG of North Dakota. That legislation was sponsored by the senior Senator from South Dakota, and I was a cosponsor.

Mr. MUNDT. That is correct. I salute the Senators from North Dakota for bringing the bill to the Senate and asking for its immediate consideration, because they face a condition in North Dakota which, happily, is not very widespread, but which does effect certain areas of South Dakota. I hope not much of the State is affected. Certainly the whole State is not affected at the present time. However, it is a great problem in other areas of the United States, and it is a matter that can affect any area of the United States, because drought is no respecter of State boundaries. We all know that a drought can occur in almost any agricultural area.

Mr. BURDICK. I join in the remarks of my colleague from North Dakota, and I point out that North Dakota is facing one of the most serious droughts it has faced since the 1930's. The drought ex-

tends across the entire State and also extends into eastern Minnesota and western Montana.

Many of the cattle of our State may have to be disposed of or sold if immediate action is not taken. I add one more point, and that is, that this proposed legislation is not designed to provide permanent legislation. It is limited to 1 year. I sincerely hope that the Senate will see fit to pass the bill unanimously at this time.

Mr. McCARTHY. I should like to ask the Senator from North Dakota whether the bill also includes land that has been put into the reserve under the temporary feed grain bill which Congress approved. How would the pending bill affect land that has been taken out of production under the provisions of the Feed Grain Act?

Mr. YOUNG of North Dakota. I do not believe the bill would affect it at all. The bill only amends the Soil Bank Act. The only thing it does is to permit the making of hay on soil bank land, in the same way it is now possible to pasture that land.

Mr. McCARTHY. Was the question of extending it so as to include the acreage taken out of production under the Feed Grains Act considered?

Mr. YOUNG of North Dakota. No; it was not.

Mr. BURDICK. The matter has been discussed with the Department of Agriculture, and they are searching the law now to determine whether the proposal suggested by the Senator can be handled administratively. The last time I talked with the representatives of the Department, they were of the opinion that it could probably be handled administratively, but they wished to examine further into the particular question.

Mr. McCARTHY. Is there any objection to inclusion of such a proposal in this particular bill? Would there be a need for additional hearings?

Mr. BURDICK. I would have no objection.

Mr. YOUNG of North Dakota. If the Senate added anything more to the bill, its passage might be complicated or delayed. I would rather see this proposal handled by separate legislation. Unless this legislation can take effect either next week or not later than 10 days from now, it will be useless. Therefore, I would rather not see it amended.

Mr. McCARTHY. A number of areas in my State, and I assume in other States as well, have been rather severely affected by drought in the current crop year. There is not much grassland in those areas, and the feeling is that the provision of this act is not particularly helpful. However, there is considerable acreage which has been withdrawn from production under the emergency feed grains act which might very well be used either for grazing or as a source of hay.

I wondered whether it would be possible to include such a provision in this bill, or if the Senator from North Dakota could give me some assurance that the question will be considered further, with a view to the passage of additional legislation to modify temporarily

the feed grains act and thus accomplish the same purpose.

Mr. YOUNG of North Dakota. I should like to see the problem handled in a separate bill. I assure the Senator from Minnesota that I will cooperate fully toward securing such proposed legislation to accomplish the purpose he suggests.

Mr. McCARTHY. I thank the distinguished Senators from North Dakota.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendments to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2113) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 107(a)(3) of the Soil Bank Act is amended by changing the period at the end thereof to a comma and adding the following: "and except that the Secretary may, with the approval of the contract signers, permit hay to be removed from such acreage if the Secretary, after certification by the Governor of the State in which such acreage is situated of the need for removal of hay from such acreage, determines that it is necessary to permit removal of hay from such acreage in order to alleviate damage, hardship, or suffering caused by severe drought, flood, or other natural disaster."

(b) The amendment made by this section shall expire one year from the date of enactment of this Act.

REORGANIZATION PLAN NO. 1 OF 1961

The Senate resumed the consideration of the resolution (S. Res. 148) opposing Reorganization Plan No. 1 of 1961.

Mr. DIRKSEN. Mr. President, the pending business is Senate Resolution 148, submitted by the distinguished Senator from New York [Mr. JAVITS], for himself and the distinguished Senator from Indiana [Mr. CAPEHART], and reported by the distinguished Senator from Arkansas [Mr. McCLELLAN]. The resolution recites that the Senate does not favor Reorganization Plan No. 1 of 1961, transmitted to Congress by the President on April 27, 1961. The proposal relates to a regulatory agency and is the first of seven reorganization plans which have been submitted by the President.

As I think of regulatory agencies, I think back to the first one, which was created in 1887, namely, the Interstate Commerce Commission. That Commission came into existence as a result of the abuses, the rebates, and one thing and another, which obtained in the West and the Middle West. It was created as a result of the efforts made by the Populists, the Grangers, and others, who finally managed to secure the legislation under which the Interstate Commerce Commission was created. That was 75 years ago, or nearly so. Since that time a good many other independent agencies enjoying administrative, legislative, and quasi-judicial power, have been created by Congress.

Congress, of course, is not an enforcing agency; it is a legislative agency or

¹ The amendment would be effective for 1 year after its enactment.

a legislative branch of the Government. If it intends to translate a given policy into action, it can place it in a department of Government or an existing agency, or it can create a new agency endowed with the various powers necessary to give effect to the will and the intent of Congress. So these agencies have been created over a period of time, all of them lumped, appropriationswise, in the independent offices appropriation bill.

I think it is a recognition by Congress of the fact that conditions do change and that situations arise which call for remedial action. I think generally that is conceded. It is conceded also that the executive branch would have an interest in the subject.

This administration has sent to Congress seven plans, the last two having come to the Senate on June 12. One of them relates to the maritime functions, the other to the housing agency and its component parts.

This is a subject of more than casual interest, because I served on the first reorganization committee which was created in the Roosevelt administration, when I was a Member of the House of Representatives. I recall that at that time a most distinguished North Carolina lawyer, a Member of the House, by the name of Lindsay Warren, who had a fine legal mind, worked out, I believe in conjunction with others, the procedure whereby these plans become effective unless they are disapproved by one branch of Congress in a period of 60 days.

The second plan submitted by this administration was acted on by the House of Representatives. It related to the reorganization of the Federal Communications Commission. The House rebuffed the administration on that plan by a vote of 323 to 77. What is involved in an identic resolution, now before the Senate, dealing with the Securities and Exchange Commission also came on for action in the House of Representatives, and that plan was approved by a vote of 212 to 176. That is a disparity of 34 votes, with respect to the reorganization plan now before the Senate. So there is a question whether the Senate, taking its part under the basic Reorganization Act, will approve or disapprove what is now before us.

I trust that the Senate will disavow, reject, and disapprove the plan which is before us at present. That requires a little look at the Securities and Exchange Commission. First I might recite that the Commission enjoys particular powers. I was in the National Legislature when every one of the acts administered by the Securities and Exchange Commission was placed upon the statute books. They include not only the Securities Act of 1933, but also the Securities and Exchange Act of 1934, the Public Utility Holding Act of 1935, the Trust Indenture Act of 1939, and the Investment Advisory Act of 1940. All of these acts, some of them highly complicated, are under the administration of the Securities and Exchange Commission.

Among other things, the Commission exercises certain rulemaking power.

What they do by way of rules has the force of law; and in connection therewith, I should point out that most of these acts are criminal statutes, for a violation of which—for a violation of a rule prescribed by the agency—there can be a criminal penalty.

Frankly, the only power, actually, that Congress can exercise over the Securities and Exchange Commission or any other regulatory agency created in the same fashion is, first, by withholding the confirmation of nominations of personnel, if it chooses to do so; and second, by amending the act.

Before the Senate today, then, is the question whether these agencies should actually reorganize themselves and undertake broad powers which can have criminal effect because of the penalties provided in the basic act. What is proposed in the so-called reorganization plan now before the Senate? First, it would delegate the rulemaking function—and that is a broad power. In the first instance, Congress had to delegate this power to a quasi-judicial agency and say, in effect, "Five hundred and thirty-one Members of the House and Senate cannot administer an act of this kind, so we create you, the agency, as a kind of semicorporate body having certain powers. You are to enforce the act, and execute its provisions for us."

It is a creature of Congress, pure and simple; it is not a creature of the executive branch, as such.

In the delegation of this rulemaking function, they propose to go rather far, because, as we observe by examining the plan the President submitted, in section 1, under the authority to delegate, it is stated:

In addition to its existing authority, the Securities and Exchange Commission, hereinafter referred to as the "Commission," shall have the power to delegate, by published order or rule any of its functions—

"Any of its functions," Mr. President. It would not make any difference what they were.

Then, when we consider where the delegated power would be lodged, the dimensions of the proposed power become even more apparent, because it is set forth that the power can be delegated to a Commissioner or to a hearing examiner or to an employee or to a group of employees. So we are asked to delegate a wide power to the Commission, as such. In fact, as I view the matter, there would be no limit, in view of the language used in the plan, which states that any such functions can be delegated. It is true that the Commission members have said they may not use that power in all cases. But, Mr. President, that makes no difference; we cannot rely upon a transient group of Commissioners to determine when the power would be used.

I believe that the Chairman of the Commission and others who appeared before the committee said that it is not proposed to use some of these powers. That may very well be; but if they do not propose to use them, why should the Congress confer on them the power to delegate them, in the first instance?

The second point I wish to make about the delegated power, as proposed, is that when it is delegated to an employee or to

a hearing examiner or to a group of employees, it is in effect a delegation of power to persons whose qualifications have not been examined by the Senate of the United States and whose nominations have not been confirmed by the Senate; and, in consequence, we would not know their competence or their talents or how they would articulate this power. So, Mr. President, for all practical purposes we would have no control whatsoever over the use of the power or its delegation.

When a power is given to a Commissioner, regarding whose tenure the Senate has something to say, that is a different matter. But it is quite another matter to have the power delegated to any of the personnel of the Commission, and to provide that the power can be delegated and redelegated, clear down to the very lowest echelon.

So the first objection I would register with respect to the reorganization plan is my objection to the proposed broad delegation of power.

Mr. LAUSCHE. Mr. President, will the Senator from Illinois yield?

Mr. DIRKSEN. I yield.

Mr. LAUSCHE. Is a conflict in reasoning regarding the principle that no person shall serve on the Securities and Exchange Commission unless his nomination has been approved by the Senate reflected in the general view that this important assignment should not be occupied by a person unless the Senate, through an examination of his integrity, his judgment, and the other attributes needed by the one who performs that job, has declared that he is fit to serve in that capacity?

In the second place, as regards the case when the one chosen and approved by the Senate delegates to subordinates this important function of government, let me put the matter in capsule form: Is there a conflict between the two situations—one, that no one shall serve in such a position unless his nomination has been approved by the Senate; the other, that the members of the Commission may delegate to any employee of the Commission the performance of these important duties?

Mr. DIRKSEN. Basically, the distinguished Senator from Ohio is absolutely correct. It might not be so material in the case of minor matters going before the Commission; but when matters of great import, involving the rights of persons and corporate entities and large amounts of money and individual interests of all kinds are involved, I believe the Congress owes it to the country and to the Congress itself to be very circumspect and careful in regard to how far such delegation of authority goes.

It is interesting to note that in times past I received the impression, from proposed reorganizations, that there would be something specific about them; and in earlier days we always insisted that the reorganization plans spell out precisely what would be done.

But in this case we have a vague and almost amorphous grant of power to various persons, even though we know nothing about their qualifications, competence, experience, and ability to reach decisions in connection with matters of

87TH CONGRESS
1ST SESSION

S. 2113

IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 1961

Referred to the Committee on Agriculture

AN ACT

To amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) section 107 (a) (3) of the Soil Bank Act is
4 amended by changing the period at the end thereof to a
5 comma and adding the following: "and except that the
6 Secretary may, with the approval of the contract signers,
7 permit hay to be removed from such acreage if the Secretary,
8 after certification by the Governor of the State in which
9 such acreage is situated of the need for removal of hay from
10 such acreage, determines that it is necessary to permit re-

1 moval of hay from such acreage in order to alleviate damage,
2 hardship, or suffering caused by severe drought, flood, or
3 other natural disaster.”

4 (b) The amendment made by this section shall expire
5 one year from the date of enactment of this Act.

Passed the Senate June 21, 1961.

Attest:

FELTON M. JOHNSTON,

Secretary.

AN ACT

To amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions.

JUNE 22, 1961

Referred to the Committee on Agriculture

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF
BUDGET AND FINANCE
(For information only:
should not be quoted
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HIGHLIGHTS: House passed bills to extend and increase special milk program and to permit harvesting of hay on conservation reserve acreage. House committee reported bill to continue use of surplus commodities to assist underdeveloped areas (Title II of Public Law 480). Senate committee reported (on June 23) general Government matters - Commerce appropriation bill. Sens. Hruska and Williams, Del., criticized sale of surplus corn to Publicker Industries. Sen. Humphrey urged modification of Mexican farm labor program.

HOUSE

- 1. SPECIAL MILK PROGRAM.** Passed without amendment S. 146, to authorize use of \$105,000,000 in CCC funds for the special milk program during the fiscal year 1962, which had been reported without amendment earlier in the day (H. Rept. 577). This bill will now be sent to the President. pp. 10412, 10444, 10447
- 2. CONSERVATION RESERVE.** Passed without amendment S. 2113, to amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions, which had been reported without amendment earlier in the day (H. Rept. 578). This bill will now be sent to the President. pp. 10412, 10447
- 3. ROADS.** Both Houses agreed to the conference report on H. R. 6713, to make various amendments in the Federal-aid highway program. This bill will now be sent to the President. pp. 10365-6, 10509-11

4. PUBLIC DEBT. By a vote of 231 to 148, passed without amendment H. R. 7677, to increase the public debt limit by \$13 billion for a temporary period ending June 30, 1962. pp. 10384-410
5. SURPLUS COMMODITIES. The Foreign Affairs Committee reported without amendment S. 1720 to make permanent the authority of the President for famine relief under title II of the Agricultural Trade Development and Assistance Act of 1954 (H. Rept. 579). p. 10447
6. TARIFFS. The Ways and Means Committee reported without amendment H. R. 7678, to provide for the free importation of wild animals and wild birds which are intended for exhibition in the U. S. (H. Rept. 580). p. 10447
7. APPROPRIATIONS. The Appropriations Committee reported on June 23 (when the House was not in session) H. R. 7851, the Defense appropriation bill (H. Rept. 574). p. 10447
8. WATERSHEDS. The Subcommittee on Conservation and Credit of the Agriculture Committee voted to report to the full committee H. R. 3462, to amend the Watershed Protection and Flood Prevention Act to permit certain new organizations to sponsor works of improvement thereunder. p. D504
9. ROADS. The Subcommittee on National Parks of the Interior and Insular Affairs Committee voted to report to the full committee with amendments H. R. 6067, to make a survey of a proposed national parkway from the Blue Ridge Parkway at Tennessee Ball or Beech Gap Southwest and running into Georgia. p. D505
10. BUILDINGS. Several members debated the Dallas (Tex.) Federal building project in which the USDA has requested approximately 19,310 square feet of space. Rep. Alger charged that the project "was killed in the Committee on Public Works by a straight party line vote." pp. 10417-37
11. YEARBOOK. Rep. Goodell praised the 1961 Yearbook of Agriculture, saying "It is fascinating to me, a nonexpert, and appears to make an authoritative contribution to the future of our American agriculture." pp. 10416-7

SENATE

12. GENERAL GOVERNMENT MATTERS - COMMERCE APPROPRIATION BILL, 1962. The Appropriations Committee reported (on June 23, during adjournment of the Senate) with amendments this bill, H. R. 7577 (S. Rept. 442). p. 10449
13. PERSONNEL. A subcommittee of the Post Office and Civil Service Committee voted to report (on June 23) to the full committee with amendments S. 1070, to provide additional group life insurance for Federal employees. p. D502
14. VETERANS LOANS. Passed with an amendment H. R. 5723, to extend the veterans' guaranteed and direct home loan program and to provide additional funds for the veterans direct loan program. pp. 10531-2
15. SURPLUS CORN. Sens. Hruska and Williams, Del., criticized the contract for the sale by this Department of surplus corn to the Publicker Chemical Corp. Sen. Hruska questioned the authority of the Department to sell the corn to the company and stated that he intended to pursue the matter further. Sen. Williams stated that he had asked the Secretary for "a complete record of all the shipments involved in this sale of 14 million bushels of corn, showing the

cise of their political power, named the candidate who now holds the Presidential Office.

One of the inherent defects in the Wagner law, contributing to the unfortunate results, was the fact that, in large part, its terms were dictated by the then general counsel of the CIO, Lee Pressman, who, according to his sworn admission, at the time was a member of a Communist cell in Washington, D.C.

Pressman's overall thinking, as indicated by his activities, seemed to be that employers were a necessary evil, their profits should be limited, management of their operations shared by the representatives of organized labor.

The Labor Board never was, and probably never was intended to be, a judicial body. It was not bound, either in making investigations or reaching decisions, by the rules or practices of the courts.

It received hearsay evidence. Its decisions were based in the beginning upon conclusions reached by trial examiners, by the Board.

At one time, the Board made findings and conclusions based upon the findings of the examiner. During another period, the Board's findings of fact, and its orders granting relief were sustained, if based upon a preponderance of the testimony taken by the examiner and the Board. Later, the law stated that the findings of the Board with respect to questions of fact—

If supported by substantial evidence on the record considered as a whole shall be conclusive.

At one time, the U.S. Supreme Court sharply rebuked the Circuit Court of Appeals because of its failure to enforce the Board's order when it substituted its judgment on disputed facts for the Board's judgment. It said:

"Whether the Court would reach the same conclusion as the Board from the conflicting evidence is immaterial and the Court's (U.S.C.A.) disagreement with the Board could not warrant the disregard of the statutory division of authority set up by Congress."¹

The activities of the Board were carried on by partisans, selected by an administration, one of whose objectives seemed to be the coralling of the vote of organized labor.

Experience seems to have demonstrated that the Democratic political organization, due to its more efficient and ruthless practices, was more successful than was the Republican outfit. President Eisenhower could not—evidently had no desire to—be as effective as was President Truman, an expert political manipulator.

An early member of the Board, one of the Smiths, was a Communist. Nathan Witt was likewise a Communist and a member of the same cell to which Lee Pressman belonged. Witt, from January of 1937 to June of 1940 is listed in the Congressional Directory either as Assistant General Counsel of the Board or as Secretary of the Board.

Many of its employees were not only incompetent, with no experience and

little knowledge of American law or traditions, but many sincerely believed that employers were oppressors of those for whom they provided jobs.

Reference has been made to the political power of the unions, which has swung so far to the left that we now have the reverse of the yellow dog contract, under which union membership was a ban to a job. Today, the reverse is true and lack of membership in a union to an equal degree bars an applicant from the opportunity of earning a livelihood.

The abuse of the power granted labor organizations, the racketeering and extortion, as well as unpunished open defiance of State and Federal law by unions and their agents, as well as utter disregard of the public health and welfare, became so great that public indignation and anger forced Congress, in a somewhat make-believe gesture, to pass the Taft-Hartley Act in 1947 and, later, the Landrum-Griffin Act in 1959.

Unfortunately, neither act, although both were vehemently denounced as union-busting legislation, effectively struck at the root of the evil, which, simply stated, was the oppressive abuse and misuse of special privileges granted labor.

The obvious remedy is to suspend or take from unions those special privileges granted them when they fail to comply with organic law, unjustly endanger the public welfare and, when war threatens, our national defense.

That unions have misused and today are misusing the power granted them to such an extent that the public health and welfare is adversely affected, efforts toward an effective national defense impeded, is obvious from the perusal of any authentic record detailing strike activities in the past, or by the reading of today's press or listening to current radio news programs.

Two current examples are sufficient for the record. Last week, in Washington, D.C., approximately 250 hoisting engineers, desiring a wage increase from the \$3.97 to a flat \$5 hourly rate, went on strike and tied up four major Federal construction jobs, threw out of work in Washington several thousand other employees.

At the same time, Congress has granted and is contemplating further grants of unemployment compensation and public assistance for the needy.

The maritime strike in New York to a large extent has tied up interstate commerce throughout the Nation, caused a food shortage so severe in the new State of Hawaii that its Governor has called upon the President for relief.

Not only has interstate commerce been drastically interfered with, but international complications are imminent.

Because of the arbitrary misuse of the power granted, its effect upon industry, because of conduct adversely affecting the public, the racketeering and extortion practiced by a few professional criminals using the cloak of union membership as a screen, and because of organized labor's demands which adversely affect international shipping, it is ob-

vious that a real remedy must be found, and that without delay.

That such a remedy cannot and will not be available if power to write labor legislation and select the officials who enforce it is left or given through a reorganization plan to the present administration is obvious.

It is matter of common knowledge that the administration now in power owes its success to support of organized labor.

It is but natural for that administration to repay its supporters by favoring legislation which will not curtail any of the special privileges granted organized labor. That it will select by appointment, as interpreters and enforcers of that legislation, individuals whose political philosophy is in accord with the thinking of labor leaders, whose determination to obtain labor's objectives by fair means or foul is obvious.

Plan No. 5 provides:

AUTHORITY TO DELEGATE

(a) In addition to its existing authority, the National Labor Relations Board, hereinafter referred to as the Board, shall have the authority to delegate, by published order or rule, any of its functions to a division of the Board, an individual Board member, a hearing examiner, or an employee or employee board, including functions with respect to hearing, determining, ordering, certifying, reporting, or otherwise acting as to any work, business, or matter: *Provided, however*, That nothing herein contained shall be deemed to supersede the provisions of section 7(a) of the Administrative Procedure Act (60 Stat. 241), as amended.

The real remedy lies with Congress, not with an administration under obligation to organized labor. An adequate remedy, notwithstanding past failures, will be found when the people at home make clear to senatorial and congressional candidates that the home folk not only are aware of the situation but that they intend to refuse election to those candidates who lack the inclination or courage to do whatever may be necessary to see to it that legislation shall have the purpose and be adequately enforced to protect the welfare of all, rather than that of any special group which loudly asserts that its support must be paid for by the granting of special immunity as well as unearned benefits.

Repeated misuse of power, inexcusable disregard of the public health, safety, and welfare should be met by suspension or repeal of the legislation which makes such action possible.

Statements just made are of record and record will be cited when the plan comes before the House for discussion. House Resolution 328, which would reject plan No. 5, should be supported.

TRANSPORTATION ON CANADIAN VESSELS BETWEEN PORTS IN SOUTHEASTERN ALASKA, ETC.

Mr. BONNER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 707) to provide transportation on Canadian vessels between ports in southeastern Alaska, and between Hyder, Alaska, and other points in southeastern Alaska, and between Hyder, Alaska, and other points in the United States outside Alaska,

¹ *National Labor Relations Board v. Waterman Steamship Corp.* (309 U.S., 206, 226).

either directly or via a foreign port, or for any part of the transportation.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There being no objection, the Clerk read the bill as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of law of the United States restricting to vessels of the United States the transportation of passengers and merchandise directly or indirectly from any port in the United States to another port of the United States, passengers may be transported on Canadian vessels between ports in southeastern Alaska, and passengers and merchandise may be transported on Canadian vessels between Hyder, Alaska, and other points in southeastern Alaska, and between Hyder, Alaska, and other points in the United States outside Alaska, either directly or via a foreign port, or for any part of the transportation until the Secretary of Commerce determines that United States-flag service is available to provide such transportation.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

(Mr. RIVERS of Alaska (at the request of Mr. BONNER) was given permission to extend his remarks at this point in the RECORD.)

Mr. RIVERS of Alaska. Mr. Speaker, I rise in support of S. 707, which would authorize Canadian vessels to deliver cargo to Hyder, Alaska, and allow the carriage of passengers between towns in southeastern Alaska. The waiver involved would be effective only until such time as some U.S.-flag carrier offers such service. Presently, it would be most uneconomical for the principal shipping line, the Alaska Steamship Co., to serve Hyder, as it is a long way from the main route, but in an area served by Canadian ships. Accordingly the Alaska Steamship Co. is in favor of this arrangement, which has prevailed now for about 6 years. This bill is to extend the waiver now in existence, but which expires on the 30th of this month. It is likewise agreeable to all concerned to allow the waiver for the carriage of passengers by Canadian vessels between ports in Alaska as neither the Alaska Steamship Co. nor any other waterborne U.S.-flag carrier renders passenger service in southeastern Alaska. I urge passage of this legislation.

GENERAL LEAVE TO EXTEND REMARKS

Mr. MILLS. Mr. Speaker, I ask unanimous consent that those Members who desire to do so may have permission to extend their remarks in the RECORD just prior to the vote on the debt ceiling bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

EXTENDING AND INCREASING THE SPECIAL MILK PROGRAM FOR CHILDREN

Mr. COOLEY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 146) to extend and increase the special milk program for children.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There being no objection, the Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of the Act entitled "An Act to continue the special milk program for children in the interest of improved nutrition by fostering the consumption of fluid milk in the schools", approved July 1, 1958, as amended (7 U.S.C., sec. 1446 note), is amended by inserting immediately after "\$95,000,000," the following: "and for the fiscal year beginning July 1, 1961, not to exceed \$105,000,000."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SOIL BANK ACT AMENDMENT

Mr. COOLEY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 2113) to amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. HOEVEN. Mr. Speaker, reserving the right to object, I understand this is a Senate bill and was unanimously reported out of the House Committee on Agriculture.

Mr. COOLEY. That is correct.

Mr. HOEVEN. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 107(a)(3) of the Soil Bank Act is amended by changing the period at the end thereof to a comma and adding the following: "and except that the Secretary may, with the approval of the contract signers, permit hay to be removed from such acreage if the Secretary, after certification by the Governor of the State in which such acreage is situated of the need for removal of hay from such acreage, determines that it is necessary to permit removal of hay from such acreage in order to alleviate damage, hardship, or suffering caused by severe drought, flood, or other natural disaster."

(b) The amendment made by this section shall expire one year from the date of enactment of this Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

[Mr. BERRY addressed the House. His remarks will appear hereafter in the Appendix.]

SPECIAL MILK PROGRAM FOR CHILDREN

(Mr. JOHNSON of Wisconsin (at the request of Mr. COOLEY), was given permission to extend his remarks at this point in the RECORD.)

Mr. JOHNSON of Wisconsin. Mr. Speaker, I want to urge the passage of S. 146, a bill that was cosponsored in the Senate by Wisconsin Senators WILLIAM PROXMIER and ALEXANDER WILEY, Minnesota Senators HUBERT HUMPHREY and EUGENE MCCARTHY, and 23 of their colleagues. The measure provides for a 1-year extension of the special milk program for children, which would carry this program through June 30, 1962. The bill also authorizes the expenditure of up to \$105 million in Commodity Credit Corporation funds for the program during that fiscal year.

On February 16, I introduced similar legislation in the House to extend and expand this worthwhile program so that it can keep pace with increased school participation and growing school enrollment. As chairman of the House Dairy and Poultry Subcommittee, I conducted hearings on this bill and similar measures on April 11 and 12. The testimony was overwhelmingly in favor of extending and expanding the milk-for-schoolchildren program, which has more than proven its value during the 7 years it has been in operation.

In testimony before the subcommittee, U.S. Department of Agriculture officials estimated that some 2.5 billion half pints of milk would be consumed in about 85,500 schools and child-care institutions by the close of the 1960-61 school year. This volume represents more than 2 percent of all the fluid milk consumed by our nonfarm population and is over and above the 2.3 billion half pints of milk to be consumed under the national school lunch program.

Mr. Speaker, while this is a remarkably good record, there is still room for additional progress. About 3 out of every 4 children now have milk available to them during school hours as a result of the special milk and school lunch programs. It is my feeling, and the feeling of the Department of Agriculture, that we must concern ourselves with getting milk to the rest of our school population as well as seeing to it that schools already participating in the program are able to continue to do so.

President Kennedy has made himself very clear on this subject. In his farm message to Congress on March 16, the President stated:

To improve further our system of distribution, I recommend extension and improvement of the special school milk program.

HAY HARVESTING ON CONSERVATION RESERVE LANDS IN DISASTER AREAS

JUNE 26, 1961.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. COOLEY, from the Committee on Agriculture, submitted the
following

R E P O R T

[To accompany S. 2113]

The Committee on Agriculture, to whom was referred the bill (S. 2113) to amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

STATEMENT

The purpose of this bill is to permit for 1 year from the date of enactment of this bill the harvesting of hay from land idled under the conservation reserve program, if the Secretary finds, after certification by the Governor of the State, that such action is necessary in order to alleviate damage hardship, or suffering caused by severe drought, flood, or other natural disaster. The bill would establish a procedure similar to that now provided for the grazing of conservation reserve land during disaster-created emergencies.

The committee finds that this bill is especially needed at this time to alleviate a severe drought presently in progress in the States of North Dakota, Minnesota, and Montana.

Department of Agriculture witnesses appeared before the committee in support of the bill as reported by the Senate Committee on Agriculture and Forestry and as passed the Senate on June 21, 1961. These witnesses assured the committee that the Department intended to apply the provisions of this bill to only the disaster area and that any hay harvested would be cut and used within that disaster area.

Identical House bills were also considered by the committee, but in order to facilitate this legislation the committee has reported the Senate bill. Identical House bills were as follows: H.R. 7801 by Mr.

Short, H.R. 7792 by Mr. Nygaard, H.R. 7810 by Mr. Langen, and H.R. 7832 by Mr. MacGregor.

Department of Agriculture press release 1973-61 announcing the administrative action taken under present law to alleviate hardship from the drought in North Dakota and the Senate report, which are appended hereto and made a part of this report, further explain the procedures under and the need for this legislation.

[USDA Press Release 1973-61, dated June 23, 1961]

U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, *June 23, 1961.*

SECRETARY FREEMAN TAKES ACTION TO EASE LIVESTOCK FEED
SITUATION IN NORTH DAKOTA

Secretary of Agriculture Orville L. Freeman today announced several actions to help ease the livestock feed supply shortage in 32 drought-stricken North Dakota counties.

Today's action will permit livestock grazing on land put under the conservation reserve and on acreages diverted under the 1961 feed grain program. In addition, harvesting of hay will be permitted on feed grain diverted acreages.

Secretary Freeman also designated the 32 counties as an emergency area where farmers and ranchers may buy Government-owned feed grains at current support prices.

Assistance was requested by the Governor of North Dakota because of persistent drought in the area. The counties experienced a lack of moisture during last fall and winter. With continued dry weather during the current season, the feed supply situation in the area is becoming increasingly critical.

Under the feed grain program, unless otherwise authorized, no use can be made of land to be diverted from production and into conserving uses this year including livestock grazing. However, in view of the emergency situation in the North Dakota area, county agricultural stabilization and conservation (ASC) committees have been given the authority to permit grazing and the harvesting of hay, if the request is made in writing by the operator of the farm.

Contracts retiring land under the conservation reserve also restrict the use of this land. Authority is being granted to permit grazing on this land in the drought area, if the county ASC committee approves in each instance.

Downward adjustments will be made in the payments due farmers under these two programs where diverted land is grazed or harvested to help ease the feed shortage.

Under the livestock feed program, Commodity Credit Corporation-owned feed grains, as available, will be offered for sale in the designated areas through August 31.

Legislation authorizes the Secretary of Agriculture to sell feed grains owned by the CCC at current support prices to provide feed for livestock where he determines there is an emergency as defined by law.

After certification by the Governor of a State that an area is in need of the livestock feed program, the Secretary is authorized to designate an emergency area within that State if he decides there is a feed shortage as a result of flood, drought, hurricane, tornado, earthquake, or other catastrophe—including disease or insect infestation.

The law specifies that feed sales may be made only to persons who do not have adequate feed and are unable to obtain enough through normal trade channels "without undue financial hardship." The recipient must agree to use the feed only for his own eligible livestock.

Precautions are also taken to protect as much as possible the interests of farmers in an emergency area who have feed grains for sale.

County ASC committees administer the livestock feed program.

The following North Dakota counties have been designated as an emergency area:

Divide	Grand Forks
Williams	Nelson
Burke	Griggs
Mountrail	Eddy
Renville	Foster
Ware	Stutsman
Bottineau	Wells
McHenry	Kidder
Rolette	Logan
Pierce	Emmons
Benson	Burleigh
Twoner	Sheridan
Ramsey	McLean
Cavalier	Mercer
Pembina	Oliver
Walsh	Morton

[S. Rept. 436, 87th Cong., 1st sess.]

The Committee on Agriculture and Forestry,⁵ to whom was referred the bill (S. 2113), to amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions, having considered the same, report thereon with a recommendation that it do pass without amendment.

This bill, for the period of 1 year after its enactment, would authorize the Secretary of Agriculture to permit hay to be harvested from conservation reserve acreage where necessary to alleviate hardship caused by drought or other natural disaster. Permission could be granted only after certification by the Governor of the State of the need therefor and upon the independent determination by the Secretary of such need.

Grazing of conservation reserve lands is now permitted under sections 103(a)(3) and 107(a)(4) of the Soil Bank Act

under conditions such as those under which hay harvesting would be permitted by the bill. The Department of Agriculture advised the committee that under either the existing grazing provision or the proposed hay harvesting provision, the Department would ordinarily require the value of the grazing or hay to be deducted from the payment for the year, as a condition of granting permission for such grazing or haying. However, the Department has granted grazing privileges in flood areas for very short periods of time where such deductions were not warranted or made. The Department also pointed out the advisability of leaving the Secretary free to impose such conditions as might be most suitable to the particular emergency and provide for the most effective administration.

The committee had before it two bills covering the subject, S. 36, introduced by Senator Young of North Dakota, and S. 2056, introduced by Senator Burdick. The Department of Agriculture's favorable report on S. 2056 is attached.

DEPARTMENTAL VIEWS

DEPARTMENT OF AGRICULTURE,
Washington, D.C., June 19, 1961.

HON. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry,
U.S. Senate.

DEAR SENATOR ELLENDER: Bill S. 2056 on which you requested a report June 13 would amend section 107(a)(3) of the Soil Bank Act so that if a Governor of a State certifies, and the Secretary determines it is necessary to permit the sale of hay harvested from conservation reserve acreage in order to alleviate damage, hardship, or suffering caused by severe drought, flood, or other natural disaster, the Secretary may authorize the local county committees to sell hay on such acreage, with the consent of the producer, to the highest bidder and return the proceeds thereof to the U.S. Treasury, less such amounts as the committees deem adequate to compensate the producer for damage if any to this premises.

We approve in principle the purpose expressed in this bill; however, we would prefer that it be modified to provide that the producer would have the entire responsibility for the disposition of the hay. We recommend that the local county committee determine the fair current local market value of the hay on an unharvested basis and that the annual conservation payment which would otherwise be due the producer for that year be reduced by this value. Should the fair current local market value of the hay thus harvested exceed the conservation reserve contract rental otherwise due the producer for that year we would not recommend recovering the excess amount from the producer. These suggested modifications should not remove the Secretary's discretionary authority as to where and when the provisions would be placed in operation.

Both bill S. 2056 and the suggested modifications thereof, by requiring a loss of contract rental where hay is harvested, contemplate a return to the Government for its investment in prior establishment and maintenance of the conservation cover. It is believed the suggested modifications might (1) obtain more participation by absentee landlords, (2) avoid controversies over damages, and (3) be generally more satisfactory to administer.

Additional costs under either approach will depend on the extent of natural disasters calling for the harvesting of hay. Administration of this proposed legislation would cost slightly more than would current legislation but the additional amount probably would not exceed \$10 per farm taking advantage of the recommended provisions. Costs of administering the bill as introduced would be slightly larger per farm because of the competitive bidding and damage assessment features.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

[S] CHARLES S. MURPHY,
Under Secretary.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as introduced, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italic*, existing law in which no change is proposed is shown in roman):

SOIL BANK ACT, AS AMENDED

* * * * *

SEC. 107. (a) To effectuate the purposes of this title the Secretary is hereby authorized to enter into contracts for periods of not less than 3 years with producers determined by him to have control for the contract period of the farms covered by the contract wherein the producer shall agree:

(1) To establish and maintain for the contract period protective vegetative cover (including but not limited to grass and trees), water storage facilities, or other soil-, water-, wildlife-, or forest-conserving uses on a specifically designated acreage of land on the farm regularly used in the production of crops (including crops, such as tame hay, alfalfa, and clovers, which do not require annual tillage).

(2) To devote to conserving crops or uses, or allow to remain idle, throughout the contract period an acreage of the remaining land on the farm which is not less than the acreage normally devoted only to conserving crops or uses or normally allowed to remain idle on such remaining acreage.

(3) Not to harvest any crop from the acreage established in protective vegetative cover, excepting timber (in accordance with sound forestry management) and wildlife or other natural products of such

acreage which do not increase supplies of feed for domestic animals, and except that the Secretary may, with the approval of the contract signers, permit hay to be removed from such acreage if the Secretary, after certification by the Governor of the State in which such acreage is situated of the need for removal of hay from such acreage, determines that it is necessary to permit removal of hay from such acreage in order to alleviate damage, hardship, or suffering caused by severe drought, flood, or other natural disaster.¹

(4) Not to graze any acreage established in protective vegetative cover prior to January 1, 1959, or such later date as may be provided in the contract, except pursuant to the provisions of section 103(a) (3) hereof; and if such acreage is grazed at the end of such period, to graze such acreage during the remainder of the period covered by the contract in accordance with sound pasture management.

(5) Not to adopt any practice, or divert lands on the farm from conservation, woods, grazing, or other use, to any use specified by the Secretary in the contract as a practice or use which would tend to defeat the purposes of the contract.

(6) (A) In the event that the Secretary determines that there has been a violation of the contract (including the prohibition of grazing on conservation acreages) at any stage during the time such producer has control of the farm and that such violation is of such a substantial nature as to warrant termination of the contract, to forfeit all rights to payments or grants under the contract, and to refund to the United States all payments and grants received by him thereunder.

(B) In the event that the Secretary determines that there has been a violation of the contract but that such violation is of such a nature as not to warrant termination of the contract, to accept such payment adjustments, forfeit such benefits, and make such refunds to the United States of payments and benefits received by him, under the contract, as the Secretary may determine to be appropriate.

(7) To such additional provisions as the Secretary determines are desirable and includes in the contract to effectuate the purposes of this title and to facilitate the practical administration of the conservation reserve program, including provisions relating to control of noxious weeds.

¹ The amendment made by this section shall expire one year from the date of enactment of this Act.



Union Calendar No. 221

87TH CONGRESS
1ST SESSION

S. 2113

[Report No. 578]

IN THE HOUSE OF REPRESENTATIVES

JUNE 22, 1961

Referred to the Committee on Agriculture

JUNE 26, 1961

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

AN ACT

To amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That (a) section 107 (a) (3) of the Soil Bank Act is
4 amended by changing the period at the end thereof to a
5 comma and adding the following: "and except that the
6 Secretary may, with the approval of the contract signers,
7 permit hay to be removed from such acreage if the Secretary,
8 after certification by the Governor of the State in which
9 such acreage is situated of the need for removal of hay from
10 such acreage, determines that it is necessary to permit re-
11 moval of hay from such acreage in order to alleviate damage,

1 hardship, or suffering caused by severe drought, flood, or
 2 other natural disaster.”

3 (b) The amendment made by this section shall expire
 4 one year from the date of enactment of this Act.

Passed the Senate June 21, 1961.

Attest:

FELTON M. JOHNSTON,

Secretary.

Union Calendar No. 221

87TH CONGRESS
1ST SESSION

S. 2113

[Report No. 578]

AN ACT

To amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions.

JUNE 22, 1961

Referred to the Committee on Agriculture

JUNE 26, 1961

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed



Public Law 87-62
87th Congress, S. 2113
June 29, 1961

An Act

75 STAT. 129.

To amend the Soil Bank Act so as to authorize the Secretary of Agriculture to permit the harvesting of hay on conservation reserve acreage under certain conditions.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 107(a) (3) of the Soil Bank Act is amended by changing the period at the end thereof to a comma and adding the following: "and except that the Secretary may, with the approval of the contract signers, permit hay to be removed from such acreage if the Secretary, after certification by the Governor of the State in which such acreage is situated of the need for removal of hay from such acreage, determines that it is necessary to permit removal of hay from such acreage in order to alleviate damage, hardship, or suffering caused by severe drought, flood, or other natural disaster."

Soil Bank Act,
amendment.
70 Stat. 192.
7 USC 1831.

(b) The amendment made by this section shall expire one year from the date of enactment of this Act.

Approved June 29, 1961.

